

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |   |                 |
|--|---|-----------------|
| In Re Application of:                              | ] |                 |
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| THOMPSON, Michael Phillip, et al.                  | ] |                 |
|  | ] |                 |
| Serial No.: U.S. national phase of                 | ] | Group Art Unit: |
| PCT/AU2004/000012                                  | ] |                 |
|  | ] |                 |
| Filed: July 5, 2005                                | ] | Examiner:       |
|  | ] |                 |
| For: METHOD OF AND SOFTWARE FOR MONITORING DIGITAL |   |                 |
| INFORMATION  |   |                 |

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 C.F.R. 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 C.F.R. 1.97(c) together with either a:  
☐ Statement Under 37 C.F.R. 1.97(e), or  
☐ a \$180.00 fee under 37 C.F.R. 1.17(p), or  
(After the C.F.R. 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- ☐ under 37 C.F.R. 1.97(d) together with a:  
☐ Statement under 37 C.F.R. 1.97(e), and  
☐ a \$180.00 fee under 37 C.F.R. 1.17(p).

Enclosed is a check in the amount of \$ \_\_\_\_\_. Please charge \$ \_\_\_\_\_ to deposit account \_\_\_\_\_.

- ☒ Applicant(s) submit herewith *Form PTO/SB/08A – Information Disclosure Statement by Applicant* together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or

may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. 1.56. A legible copy of each document is provided.

- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form SB/08A, as presently understood by the individual(s) designated in 37 C.F.R. 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

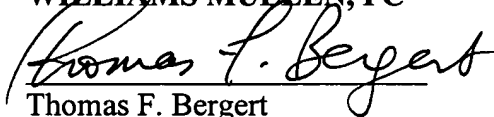
The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or the information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Date: Oct 5, 2005

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#1200590v1

Respectfully submitted,  
**WILLIAMS MULLEN, PC**  
By:   
Thomas F. Bergert  
Registration No. 38,076

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

**Complete if Known**

|                        |                            |
|------------------------|----------------------------|
| Application Number     | None received yet; U.S. na |
| Filing Date            | July 5, 2005               |
| First Named Inventor   | Thompson et al.            |
| Art Unit               |                            |
| Examiner Name          |                            |
| Attorney Docket Number | 043437.0001                |

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000012

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|------------------|---|---|----------------|
|                    |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) | MM-DD-YYYY       |   |   |                |
|                    |                       | WO 00/67095 A1  | 11-09-2000       | Trymedia Systems                                |   |                |
|                    |                       |   |                  |   |   |                |
|                    |                       |   |                  |   |   |                |
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| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

|                        |                                       |
|------------------------|---------------------------------------|
| Application Number     | None received; U.S. nat. phase of PCT |
| Filing Date            | July 5, 2005                          |
| First Named Inventor   | Thompson et al.                       |
| Art Unit               |                                       |
| Examiner Name          |                                       |
| Attorney Docket Number | 043437.0001                           |

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of

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**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|-----------------------|---|----------------|
|                    |                       | PACE ANTI-PIRACY, INC., "InterLok for Windows User Guide", February 2001, <a href="http://www.paceap.com/docs/InterLok_for_windows.pdf">http://www.paceap.com/docs/InterLok_for_windows.pdf</a>   |                |
|                    |                       | SOFTWRAP LIMITED, "New Version of Softwrap Launched", December 19, 2001, <a href="http://softwrap.com">http://softwrap.com</a> .  |                |
|                    |                       | DIGITAL RIGHTS MANAGEMENT, "Secure and Flexible Solutions for Distributing and Promoting Software", August 2002, <a href="http://www.macrovision.com">www.macrovision.com</a>   |                |
|                    |                       | PROTEXIS, "Securing Soft Goods", June-August 2002, <a href="http://www.protexis.com">www.protexis.com</a> .   |                |
|                    |                       | C-DILLA LTD., "CD-Secure", as archived March 2001, <a href="http://www.c-dilla.com">www.c-dilla.com</a> .   |                |
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Examiner  
SignatureDate  
Considered

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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|---|----------------------|---------------------------------------|-------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | None received yet; U.S. nat. phase of |             |
|   | Filing Date          | July 5, 2005                          |             |
|   | First Named Inventor | Thompson, Michael Phillip et al.      |             |
|   | Art Unit             |                                       |             |
|   | Examiner Name        |                                       |             |
| Total Number of Pages in This Submission  | 381                  | Attorney Docket Number                | 043437.0001 |

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| ENCLOSURES (Check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Postcard Return Receipt |
| Remarks<br><br>  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                          |
|--|--------------------------|
| Firm or Individual name                    | Thomas F. Bergert        |
| Signature                                  | <i>Thomas F. Bergert</i> |
| Date                                       | October 5, 2005          |

| CERTIFICATE OF TRANSMISSION/MAILING   |                          |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                          |
| Typed or printed name   | Thomas F. Bergert        |
| Signature   | <i>Thomas F. Bergert</i> |
| Date  | October 5, 2005          |

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